

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JANUARY 24, 2005**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:12 p.m. on Monday, January 24, 2005, with President Talley presiding.

Councillor Abdullallah led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
1 ABSENT: Langsford

A quorum of twenty-eight members being present, the President called the meeting to order.

OFFICIAL COMMUNICATIONS

The President asked for consent to approve staff appointments of Angela Gonzalez and Andrea Scott for the Assistant Clerk positions. Ms. Gonzalez and Ms. Scott were confirmed by a unanimous voice vote.

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE
COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND
MARION COUNTY, INDIANA

Journal of the City-County Council

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 24, 2005, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Steve Talley
President, City-County Council

January 12, 2004

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, January 14, 2005, a copy of a Notice of Public Hearing on Proposal Nos. 1, 2, 3, 5, 6, 9, 11, 12, and 15, 2005, said hearing to be held on Monday, January 24, 2005, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

January 14, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 1, 2005 – amends the Code with regards to NCAA events and the sale of tickets for such events

SPECIAL RESOLUTION NO. 1, 2005 – recognizes the establishment of the Consular Corps of Indianapolis

SPECIAL RESOLUTION NO. 2, 2005 – recognizes the one year anniversary of the University of Phoenix, Indianapolis Campus

SPECIAL RESOLUTION NO. 3, 2005 – determines the need to lease approximately 5,400 square feet of office space at 5617-5629 West 73rd Street for the use of the Marion County Sheriff's Department

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of January 10, 2005. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 34, 2005. The proposal, sponsored by Councillors Brown, Langsford and Moriarty Adams, recognizes the Class 5A Warren Central Warriors for their second straight State Football Championship Victory. Councillor Brown read the proposal and presented copies of the document and Council pins to representatives. Coach Kevin Wright, Principal Tony Burchett, Warren Township School Board President Ann Meade, and Senior team member Paul Washington thanked the Council for the recognition. Councillor Brown moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 34, 2005 was adopted by a unanimous voice vote.

Proposal No. 34, 2005 was retitled SPECIAL RESOLUTION NO. 4 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 2005

A SPECIAL RESOLUTION recognizing the Class 5A Warren Central Warriors for their second straight State Football Championship Victory.

WHEREAS, the RCA Dome was packed with fans full of excitement for the Class 5A state championship game that put Warren Central Warriors, with a record of 14-1, against the unbeaten Fort Wayne Snider Panthers; and

WHEREAS, the Panthers who averaged 56.1 points per game and 405.6 yards per game, were held to 309 yards of offense, and were forced to make two turnovers – an interception and fumble recovery on special teams; and

WHEREAS, Warren Central Warriors are now savoring their win over Fort Wayne Snider by a 35-23 victory to bring home a second state 5A title; and

WHEREAS, despite having lost ten starters on defense, as well as their starting quarterback, the Warriors set a goal to bring home the title and they did; and

WHEREAS, the team played together with great heart and character, with the seniors on the team being leaders by setting examples and the underclassmen putting on an outstanding performance; and

WHEREAS, head coach Kevin Wright was the Star East Coach of the Year; and

WHEREAS, Coach Wright, who has a five year record of 57-11 at Warren Central, instilled in his players: *One person doesn't make a team*; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Warren Central Warriors on their second straight win as the Indiana State Football Champion Class 5A Team.

SECTION 2. The Council wishes much success to the seniors on the team as they complete their last year in high school and hopes that future Warriors bring championships back to Indianapolis.

SECTION 3. The Council expresses its gratitude to Coach Wright for instilling strong team values and character in his students that will last a lifetime.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 35, 2005. The proposal, sponsored by Councillors Nytes, Gibson, Talley, Borst and Boyd, recognizes Mr. Jim Wade and the Council's most recent board members Councillors

Bob Cockrum and Lonnell Conley, for their efforts with the Indianapolis-Scarborough Peace Games. Councillor Nytes read the proposal and presented Mr. Wade and Councillors Cockrum and Conley with copies of the document and Council pins. Councillors Conley and Cockrum and Mr. Wade thanked the Council for the recognition and mentioned other board members and volunteers who were crucial in keeping the games running. Councillors Gibson and Boyd thanked the men for their contributions and asked that the inter-fraternity between the Council members in Scarborough and Council members in Indianapolis continue. Councillor Nytes moved, seconded by Councillor Borst, for adoption. Proposal No. 35, 2005 was adopted by a unanimous voice vote.

Proposal No. 35 2005 was retitled SPECIAL RESOLUTION NO. 5, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 2005

A SPECIAL RESOLUTION recognizing Mr. Jim Wade and the Council's most recent board members Councillors Bob Cockrum and Lonnell Conley, for their efforts with the Indianapolis-Scarborough Peace Games.

WHEREAS, the Peace Games program was created in 1972 with the mission to promote fellowship, friendly competition and provide cultural exchange between the two cities and countries of Indianapolis, Indiana, United States and Scarborough, Ontario, Canada; and

WHEREAS, the Indianapolis Board and the Scarborough Board has agreed to end the competition because the mission of the organization has been accomplished; and

WHEREAS, the Peace Games program have provided the Council members from both cities the chance to develop important friendships and share information about the challenges facing their respective cities; and

WHEREAS, the Peace Games program was the first major event to offer more than 50,000 amateur athletes the opportunity to compete and travel to international locations where competing was done in a friendly environment; and

WHEREAS, in 1999, the Sister Cities International awarded the Indianapolis-Scarborough Peace Games the "Best Youth Program" for its programming and positive impact on youth; and

WHEREAS, Councillors Bob Cockrum and Lonnell Conley has spent countless hours organizing the Peace Games and ensuring that children in Marion County had a positive international experience; and

WHEREAS, Jim Wade, who was also president of Indianapolis board, has dedicated his life to helping youth in our community; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council extends its appreciation and gratitude to Mr. Jim Wade and Councillors Bob Cockrum and Lonnell Conley for their efforts in organizing successful Peace Games year-after-year.

SECTION 2. The Council wishes them success as they continue to provide children in Marion County with positive outlets for achieving their potential.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 36, 2005. The proposal, sponsored by Councillors Randolph and Franklin, recognizes Mexican Public Safety officials for their participation in an exchange program with the Indianapolis Fire Department and the Indianapolis Police Department. Councillor Randolph read the proposal and presented representatives with copies of the document and Council pins.

Councillor Franklin stated that she would also like to thank the host officers and recognize newly promoted Sergeant Matthew Mount, who has served numerous years as a missionary in Latino countries, for his dedication and work with the community in helping to keep “Badges without Borders” a viable commodity for the city. Councillor Randolph moved, seconded by Councillor Franklin, for adoption. Proposal No. 36, 2005 was adopted by a unanimous voice vote.

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 2005

A SPECIAL RESOLUTION recognizing Mexican Public Safety officials for their participation in an exchange program with the Indianapolis Fire Department and the Indianapolis Police Department.

WHEREAS, Mario Garza began teaching Spanish classes to firefighters in the fall of 1998 and the police department in 1999; and

WHEREAS, the Vida Nueva Church started an immersion program which allowed the best students in the Spanish class to make the first visit to Honduras in February 2000, for a ten day medical mission that involved 23 police and firefighters which treated over 2,900 people; and

WHEREAS, a second mission was taken to Honduras in February 2001, and in the fall of 2002, a mission was taken to Calnali, Mexico which included Mayor Bart Peterson, IFD Chief Louis Dezelan and IPD Chief Jerry Barker; and

WHEREAS, in February 2003 a second mission was made to Mexico and the 2004 mission allowed police and firefighters to spend one month in Mexico training with Mexican public safety officials; and

WHEREAS, through diplomatic connections made during the 2003 trip, the Mexican government became involved and sent 40 police and firefighters to train in Indianapolis from January 24, 2005 to February 8, 2005 in an exchange program; and

WHEREAS, Mexican firefighters: Elias Daniel Corona de la Torres, Norberto Gress Gutierrez, Felipe Espinoza Perez, Jose Barcena Rangel, Eugenio Francisco Hernandez Godinez, Benito Escamilla Asiain, and Nelly Sahul Ibarra will train alongside members of the Indianapolis Fire Department; and

WHEREAS, Mexican police officers: Carlos Alberto Anaya Ballesteros, Abraham Angeles Ortiz, Jose Luis Angles Ramirez, Gilberto Jorge Badillo Zuniga, Jose Demetrio Breton Olmos, Rigoberto Carrasco Hernandez, Miguel Angel Chavez Valdez, Gonzalo Cortez Feliz, Porfirio Diaz Gonzalez, Juan Daniel Dominguez Campos, Felipe Roger Flores Perez, Carlos Israel Garci Ubaldo, Claudio Hernandez Juarez, Roberto Hugo Herrera Vega, Mario Ibarra Franco, Juan Juarez Venegas, Maria Elena Lucio Alvarado, Raul Martinez Becerra, Rene Mendoza Cadena, Jose Patricio Mendoza Serrano, Daniel Ocana Monroy, Daniel Paredes Gonzalez, Luis Alberto Perez Butron, Franciasco Ramirez Porras, Carlos Antonio Carlos Rangel Breton, Leonides Ruia Romero, Sergio Felipe Sanchez Rangel, Alberto Trejo Camacho, Jorge Vazquez Canales, Jose Baltazar Vazquez Morales, Guillermo Ignacio Vergara Aguirre, Isaías Villa Coronel and Beatriz Zavala Monzalvo will train alongside members of Indianapolis Police Department; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council is honored to host public safety officials from Mexico.

SECTION 2. The Council extends its hospitality to the officers and hopes they take advantage of our world-class city.

SECTION 3. The Council is proud of the efforts that IFD and IPD have taken in order to reach out to the Spanish speaking community in Indianapolis by participating in real life experiences through its missions to Honduras and exchange program with Mexico.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

Councillor McWhirter said that in light of the growing Hispanic community, she would like to see a brief presentation in the Public Safety and Criminal Justice Committee as to how the large Hispanic population affects the daily duties of the Indianapolis Police Department and the

Indianapolis Fire Department. President Talley asked Chairwoman Moriarty Adams to schedule this type of discussion in committee. Chairwoman Moriarty Adams agreed to do so.

Councillor Sanders stated that Proposal Nos. 727, 764, 766, and 767, 2005 are all appointments and all passed out of their respective committees with unanimous recommendations that they do pass. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 727, 2004. The proposal, sponsored by Councillors Gray, Boyd and Sanders, reappoints Belle Choate to the Alcoholic Beverage Board of Marion County. PROPOSAL NO. 764, 2004. The proposal, sponsored by Councillor Boyd, approves the Mayor's appointment of Joseph L.B. Wynns as the Director of the Department of Parks and Recreation. PROPOSAL NO. 766, 2004. The proposal, sponsored by Councillor Boyd, approves the Mayor's appointment of James A. Garrard as the Director of the Department of Public Works. PROPOSAL NO. 767, 2004. The proposal, sponsored by Councillors Boyd and Brown, approves the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development. Councillor Sanders moved, seconded by Councillor Borst, for adoption. Proposal Nos. 727, 764, 766, and 767, 2005 were adopted by a unanimous voice vote.

Proposal No. 727, 2004 was retitled COUNCIL RESOLUTION NO. 31, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 2005

A COUNCIL RESOLUTION reappointing Belle Choate to the Alcoholic Beverage Board of Marion County.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Alcoholic Beverage Board of Marion County, the Council reappoints:

Belle Choate

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 764, 2004 was retitled COUNCIL RESOLUTION NO. 32, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 32, 2005

A COUNCIL RESOLUTION approving the Mayor's appointment of Joseph L. B. Wynns as the Director of the Department of Parks and Recreation for a term ending December 31, 2005, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Parks and Recreation is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Joseph L. B. Wynns to serve as Director of the Department of Parks and Recreation at his pleasure for a term ending December 31, 2005; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

January 24, 2005

SECTION 1. Joseph L. B. Wynns is approved and confirmed by the City-County Council to serve as the Director of the Department of Parks and Recreation for a term ending December 31, 2005, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 766, 2004 was retitled COUNCIL RESOLUTION NO. 33, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 33, 2005

A COUNCIL RESOLUTION approving the Mayor's appointment of James A. Garrard as the Director of the Department of Public Works for a term ending December 31, 2005, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Public Works is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of James A. Garrard to serve as Director of the Department of Public Works at his pleasure for a term ending December 31, 2005; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. James A. Garrard is approved and confirmed by the City-County Council to serve as the Director of the Department of Public Works for a term ending December 31, 2005, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 767, 2004 was retitled COUNCIL RESOLUTION NO. 34, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 34, 2005

A COUNCIL RESOLUTION approving the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development for a term ending December 31, 2005, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Metropolitan Development is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Maury Plambeck to serve as Director of the Department of Metropolitan Development at his pleasure for a term ending December 31, 2005; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Maury Plambeck is approved and confirmed by the City-County Council to serve as the Director of the Department of Metropolitan Development for a term ending December 31, 2005, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 26, 2005. Introduced by Councillors Nytes and Talley. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the Installment Tax Payment Plan for certain real estate taxes "; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 27, 2005. Introduced by Councillor Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a nonreverting donation fund and petty cash fund for the Marion County Children's Guardian Home"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 28, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which confirms the Marion County Public Defender Board's nomination of David Cook as Marion County Chief Public Defender"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 29, 2005. Introduced by Councillors Moriarty Adams and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$13,900 in the 2005 Budget of the Marion County Sheriff (State & Federal Grants Fund) to fund overtime and fringe expenses for task force projects"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 30, 2005. Introduced by Councillors Moriarty Adams and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$14,882 in the 2005 Budget of the Marion County Sheriff (State & Federal Grants Fund) to fund purchase of supplies and services for the Bomb Vehicle"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 31, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$10,000 in the 2005 Budget of the Marion Superior Court, Juvenile Division (State and Federal Grants Fund), to continue to fund drug court costs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 32, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$92,500 in the 2005 Budget of the Marion County Justice Agency (Marion County Drug Free Fund) to pay approved grant expenses for Marion Superior Court and Marion County Prosecutor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 33, 2005. Introduced by Councillors Talley and Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which transfers the Indianapolis Fleet Services Division from the Department of Administration to the Department of Public Works "; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 25, 2005. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 25, 2005 on January 19, 2005. The proposal, sponsored by Councillor Mahern, is an inducement resolution for Herman & Kittle Properties, Inc. in an

amount not to exceed \$14,000,000, which consists of a new 248-unit apartment to be named "Washington Pointe Apartments" located at 10601 East 10th Street (District 21). By a 6-1-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Speedy and Moriarty Adams asked for consent to abstain from voting on Proposal No. 25, 2005, to avoid the appearance of a conflict of interest. Consent was given.

Councillor Mahern moved, seconded by Councillor Nytes, for adoption. Proposal No. 25, 2005 was adopted on the following roll call vote; viz:

19 YEAS: Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Mahern, Mansfield, McWhirter, Oliver, Pfisterer, Randolph, Salisbury, Schneider, Talley
5 NAYS: Abdullah, Franklin, Keller, Nytes, Sanders
4 NOT VOTING: Borst, Moriarty Adams, Plowman, Speedy
1 ABSENT: Langsford

Proposal No. 25, 2005 was retitled SPECIAL RESOLUTION NO. 7, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 2005

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the Company; and

WHEREAS, Herman & Kittle Properties, Inc. or its assigns (the "Applicant"), has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to consist of construction of a new 248-unit apartment community to be known as Washington Pointe Apartments located at 10601 East 10th Street, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the acquisition and construction of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation and retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$14,000,000 under the Act to be privately placed or publicly offered if permitted under current Commission policy for the acquisition and construction of the Project and the sale or

leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition and construction of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition and construction of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires on August 31, 2005, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by this Council prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurance that (1) any such allocable limit will be available, because inducement resolutions in the aggregate amount in excess of the private activity bond limit may, and in all probability will, be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition and rehabilitation of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the Project to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the Project. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This Council recognizes that the Applicant intends to utilize Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. The Council hereby finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended, does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Applicant. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Mayor of the City of Indianapolis (the "Mayor") is hereby directed to delegate to the Director, Department of Metropolitan Development, the authority to execute on behalf of the Mayor and the Issuer any and all documents required in the application process for tax credit or volume cap allocations from the appropriate State of Indiana agency. In reliance upon the representations of the Applicant, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 37-41, 2005. Introduced by Councillor Mahern. Proposal Nos. 37-41, 2005 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on January 14, 2005. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 8-12, 2005, the original copies of which

ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 8, 2005.

2004-ZON-111

1015-1036 NORTH OAKLAND AVENUE (Approximate Address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10

BOARD OF SCHOOL COMMISSIONERS, by David Kingen, requests a rezoning of 2.01 acres, being in the D-5 District, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 9, 2005.

2004-ZON-137

2515-2533 EAST DUDLEY AVENUE (Approximate Address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #24

METROPOLITAN SCHOOL DISTRICT OF PERRY TOWNSHIP, by Louis H. Borgmann, requests a rezoning of three acres, being in the D-A District, to the SU-2 classification to provide for a softball diamond.

REZONING ORDINANCE NO. 10, 2005.

2004-ZON-142

1141-1157 & 1150-1162 NORTH SHEFFIELD AVENUE (Approximate Addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #15

ST PAUL BAPTIST CHURCH requests a rezoning of 1.35 acres, being in the SU-6 and D-5 (W-1) (W-5) Districts, to the SU-1(W-1) (W-5) classification to provide for religious uses and an associated parking lot.

REZONING ORDINANCE NO. 11, 2005.

2004-ZON-149

520 INDIANA AVENUE AND 524 NORTH WEST STREET (Approximate Addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

BOS COMMUNITY DEVELOPMENT CORPORATION requests a rezoning of 0.403 acre, being in the I-3-U(RC) District, to the CBD-2(RC) classification to legally establish office uses.

REZONING ORDINANCE NO. 12, 2005.

2004-ZON-152 (Amended)

4723 SOUTH EMERSON AVENUE (Approximate Address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25

FILCO LIMITED, LLC, by J. Murray Clark, requests a rezoning of 5.7 acres, being in the C-3 and C-S Districts, to the C-S classification to provide for a self-storage warehouse development and C-3 commercial uses.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Gray reported that the Parks and Recreation Committee heard Proposal Nos. 1 and 2, 2005 on January 13, 2005. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 1, 2005. The proposal, sponsored by Councillors Cockrum and Gray, approves an increase of \$8,500 in the 2005 Budget of the Department of Parks and Recreation (Non-lapsing Federal Grants Fund) to support the reforestation and vegetation restoration at Cottonwood Lakes and reforestation at Southwestway Park, financed by a federal grant from the United States Fish and Wildlife Service. PROPOSAL NO. 2, 2005. The proposal, sponsored by Councillors Gray and Cockrum, approves an increase of \$250,000 in the 2005 Budget of the Department of Parks and Recreation (Federal Grants Fund) to fund the 2005 Summer Lunch program, financed by a federal grant from the United States Department of Agriculture. By 7-0

votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Talley called for public testimony at 7:57 p.m.

Reverend Pamela M. Pinkney, citizen, stated that she supports these proposals and would like a status of parks projects as she has asked for previously.

There being no further testimony, Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal Nos. 1 and 2, 2005 were adopted on the following roll call vote; viz:

25 YEAS: Abdullah, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

3 NOT VOTING: Borst, Bradford, Plowman

1 ABSENT: Langsford

Proposal No. 1, 2005 was retitled FISCAL ORDINANCE NO. 6, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Eight Thousand Five Hundred Dollars (\$8,500) in the Non-lapsing Federal Grants Funds for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Non-lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to support the reforestation and vegetation restoration at Cottonwood Lakes and reforestation at Southwestway Park, financed by a federal grant from the United States Fish and Wildlife Service.

SECTION 2. The sum of Eight Thousand Five Hundred Dollars (\$8,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>8,500</u>
TOTAL INCREASE	8,500

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-lapsing Federal Grants Fund	<u>8,500</u>
TOTAL REDUCTION	8,500

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

January 24, 2005

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 2, 2005 was retitled FISCAL ORDINANCE NO. 7, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Two Hundred Fifty Thousand Dollars (\$250,000) in the Federal Grants Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to fund the 2005 Summer Lunch program, financed by a federal grant from the United States Department of Agriculture.

SECTION 2. The sum of Two Hundred Fifty Thousand Dollars (\$250,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
2. Supplies	5,000
3. Other Services and Charges	<u>245,000</u>
TOTAL INCREASE	250,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>250,000</u>
TOTAL REDUCTION	250,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 3, 2005. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 3, 2005 on January 13, 2005. The proposal, sponsored by Councillors Gray and Cockrum, approves an increase of \$1,000,000 in the 2005 Budget of the Department of Parks and Recreation (Park General Fund) for construction of a new nature center at Eagle Creek Park, financed by a grant from the Lilly Endowment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 3, 2005 was adopted on the following roll call vote; viz:

28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
0 NAYS:

1 ABSENT: Langsford

Proposal No. 3, 2005 was retitled FISCAL ORDINANCE NO. 8, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional One Million Dollars (\$1,000,000) in the Park General Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Park General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation for construction of a new nature center at Eagle Creek Park, financed by a grant from the Lilly Endowment.

SECTION 2. The sum of One Million Dollars (\$1,000,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
4. Capital Outlay	<u>1,000,000</u>
TOTAL INCREASE	1,000,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	<u>1,000,000</u>
TOTAL REDUCTION	1,000,000

SECTION 5. The projected December 31, 2005, fund balance for the Park General Fund is as follows:

Estimated fund balance as of December 31, 2004	1,746,548
Estimated revenues 2005	<u>25,447,548</u>
Projected funds available	27,194,096
2005 Budget	25,423,922
Proposed additional appropriation (this proposal)	<u>1,000,000</u>
Total Requirements	26,423,922
Estimated Fund Balance December 31, 2005	770,174

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 5, 2005. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 5, 2005 on January 12, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$13,583 in the 2005 Budget of Marion Superior Court (County General Fund) to provide funds needed to cover matching funds for Child Advocates, Inc.

Councillor Moriarty Adams made the following motion:

Mr. President:

I move that the public hearing on Proposal No. 5, 2005 be postponed until the March 7, 2005 Council hearing. Although the proposal has been heard and recommended for passage by the Public Safety and Criminal Justice Committee, the appropriation comes from the County General Fund, which requires a 30-day waiting period from the time of introduction until passage by the full Council. Because the Rules of the Council were not suspended to authorize advertisement and passage of the proposal before the 30 days, a postponement is necessary in order to meet advertising requirements and comply with Council Rules.

Councillor Borst seconded the motion, and Proposal No. 5, 2005 was postponed by a unanimous voice vote.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 6, 8, 9, 11, 12, and 15, 2005 on January 12, 2005. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 6, 2005. The proposal, sponsored by Councillors Moriarty Adams, Talley and McWhirter, approves an increase of \$155,423 in the 2005 Budget of the Department of Public Safety, Fire Division (Federal Grants and Non-Lapsing Federal Grants Funds), to fund the 2005 salary and benefits of the Urban Search & Rescue (US & R) Task Force Coordinator, and to purchase rescue equipment, clothing supplies, and other equipment, financed by a grant from the Department of Homeland Security/Federal Emergency Management Agency and a transfer between characters. PROPOSAL NO. 8, 2005. The proposal, sponsored by Councillor McWhirter, approves a transfer of \$2,973 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to purchase supplies, for Community Prosecution, previously awarded federal Community Prosecution Leadership Award by the U.S. Department of Justice. PROPOSAL NO. 9, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$4,000 in the 2005 Budget of Marion County Prosecutor (State and Federal Grants Fund) to purchase eight traffic radar units for the Marion County Traffic Safety Partnership, funded by a grant from the Indiana Criminal Justice Institute for outstanding efforts in Operation Pull Over. PROPOSAL NO. 11, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$250,000 in the 2005 Budget of Marion County Prosecutor (Diversion Fee Fund) to replace a decrease of \$250,000 in the 2005 Character 01, Personal Services Budget in the County General Fund, to fund salaries for the Prosecutor's Office. PROPOSAL NO. 12, 2005. The proposal, sponsored by Councillors Borst and Moriarty Adams, approves an increase of \$30,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to fund a staff position for the development and delivery of coordinated services to families, funded by a grant from Efroymsen Fund, Central Indiana Community Foundation. PROPOSAL NO. 15, 2005. The proposal, sponsored by Councillors Talley, McWhirter and Moriarty Adams, approves an increase of \$263,775 in the 2005 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund), to fund technical assistance to Family Justice Centers and to fund the Super Achilles unit, dedicated to arresting the most violent criminals in Marion County, financed by federal grants from the US Department of Justice. By a unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Plowman said that he supports all of these issues, but with more funding being allocated toward fighting crime, it is fruitless if there are not sufficient facilities to hold them. He said that he would like to see the jail overcrowding issue discussed again so that all of the hard work of officers is not in vain.

President Talley called for public testimony at 8:15 p.m.

Rev. Pinkney stated that the Council continues to allocate funds for domestic court, yet the money is not being distributed fairly, and equal justice is not taking place.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal Nos. 6, 8, 9, 11, 12, and 15, 2005 were adopted on the following roll call vote; viz:

Proposal No. 6, 2005 was retitled FISCAL ORDINANCE NO. 9, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 9, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) transferring and appropriating an additional One Hundred Fifty-five Thousand Four Hundred Twenty-three Dollars (\$155,423) in the Federal Grants and Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Fire Division, and reducing the unappropriated and unencumbered balance in the Federal Grants and Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to fund the 2005 salary and benefits of the Urban Search & Rescue (US & R) Task Force Coordinator, and to purchase rescue equipment, clothing supplies, and other equipment, financed by a grant from the Department of Homeland Security/Federal Emergency Management Agency and a transfer between characters.

SECTION 2. The sum of One Hundred Fifty-five Thousand Four Hundred Twenty-three Dollars (\$155,423) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

- 1. Personal Services
- 5. Internal Charges
- TOTAL INCREASE

FEDERAL GRANTS FUND

90,681
8,000
98,681

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

- 2. Supplies
- 3. Other Services and Charges
- 4. Capital Outlay
- TOTAL INCREASE

NON-LAPSING FEDERAL GRANTS FUND

31,950
447
24,345
56,742

SECTION 4. The said additional appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

- 3. Other Services and Charges
- TOTAL DECREASE

NON-LAPSING FEDERAL GRANTS FUND

56,295
56,295

FEDERAL GRANTS FUND

Unappropriated and Unencumbered
Federal Grants Fund
TOTAL REDUCTION

98,681
98,681

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NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>447</u>
TOTAL REDUCTION	447

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 8, 2005 was retitled FISCAL ORDINANCE NO. 10, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating an additional Two Thousand Nine Hundred Seventy-three Dollars (\$2,973) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to transfer surplus funds in Character 03 and 04, to Character 02 for supplies for Community Prosecution.

SECTION 2. The sum of additional Two Thousand Nine Hundred Seventy-three Dollars (\$2,973) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	<u>2,973</u>
TOTAL INCREASE	2,973

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	2,168
4. Capital Outlay	<u>805</u>
TOTAL DECREASE	2,973

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 11, 2005 was retitled FISCAL ORDINANCE NO. 11, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 12, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2005) appropriating an additional Two Hundred Fifty Thousand Dollars (\$250,000) in the Diversion Fee Fund and for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the Diversion Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (b) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to replace a decrease of \$250,000 in the 2005 Character 01, Personal Services Budget in the County General Fund, to fund salaries for the Prosecutor's Office.

SECTION 2. The sum of additional Two Hundred Fifty Thousand Dollars (\$250,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>DIVERSION FEE FUND</u>
1. Personal Services	<u>250,000</u>
TOTAL INCREASE	250,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>DIVERSION FEE FUND</u>
Unappropriated and Unencumbered	
Diversion Fee Fund	<u>250,000</u>
TOTAL REDUCTION	250,000

SECTION 5. The projected December 31, 2005, fund balance for the Diversion Fund is as follows:

Current cash balance 12-31-04	598,013
Anticipated additional revenue through December 31, 2005	1,420,000
Projected funds available	2,018,013
Remaining appropriations and encumbrances	916,965
Proposed additional appropriation	<u>250,000</u>
Funds required	1,166,965
Projected fund balance December 31, 2004	851,048

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 12, 2005 was retitled FISCAL ORDINANCE NO. 12, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 13, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Thirty Thousand Dollars (\$30,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to fund a staff position for the development and delivery of coordinated services to families

January 24, 2005

SECTION 2. The sum of an additional Thirty Thousand Dollars (\$30,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	25,000
3. Other Services and Charges	<u>5,000</u>
TOTAL INCREASE	30,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>30,000</u>
TOTAL REDUCTION	30,000

SECTION 5. No local match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 15, 2005 was retitled FISCAL ORDINANCE NO. 13, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Two Hundred Sixty-three Thousand Seven Hundred Seventy-five Dollars (\$263,775) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to fund technical assistance to Family Justice Centers and to fund the Super Achilles unit, dedicated to arresting the most violent criminals in Marion County, financed by federal grants from the US Department of Justice.

SECTION 2. The sum of Two Hundred Sixty-three Thousand Seven Hundred Seventy-five Dollars (\$263,775) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
<u>POLICE DIVISION</u>	
1. Personal Services	75,000
3. Other Services and Charges	174,225
4. Capital Outlay	<u>14,550</u>
TOTAL INCREASE	263,775

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>NON-LAPSING FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>263,775</u>
TOTAL REDUCTION	263,775

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 688, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 688, 2004 on December 9, 2004 and January 20, 2005. The proposal, sponsored by Councillor Franklin, authorizes intersection controls for Lantern Road and Lantern Forest Court (District 12). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Conley moved, seconded by Councillor Franklin, for adoption. Proposal No. 688, 2004, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Speedy, Talley*

0 NAYS:

1 NOT VOTING: *Schneider*

1 ABSENT: *Langsford*

Proposal No. 688, 2004, as amended, was retitled GENERAL ORDINANCE NO. 2, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 2, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6	Lantern Forest Ct Lantern Rd	Lantern Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 745, 2004. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 745, 2004 on January 18, 2005. The proposal, sponsored by

January 24, 2005

Councillors Keller and Borst, determines the need to lease approximately 12,130 square feet of space at 902-928 Virginia Avenue for use by the Marion Superior Court. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Sanders moved, seconded by Councillor Gibson, for adoption. Proposal No. 745, 2004, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Speedy, Talley

0 NAYS:

1 NOT VOTING: Schneider

1 ABSENT: Langsford

Proposal No. 745, 2004, as amended, was retitled SPECIAL RESOLUTION NO. 8, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 2005

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately 12,130 square feet of space at 902 - 928 Virginia Avenue, Indianapolis, Indiana, for use by the Marion Superior Court, as court and office space.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease of space for court and office use by the Marion Superior Court is needed.

SECTION 2. The property to be leased is located at 902 - 928 Virginia Avenue, Indianapolis, Indiana. Such property is owned by "Virginia Property, LLC."

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 752, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 752, 2004 on January 20, 2005. The proposal, sponsored by Councillor Mahern, authorizes parking restrictions on Meridian Street near Bluff Avenue. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Mahern, for adoption. Proposal No. 752, 2004 was adopted on the following roll call vote; viz:

28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 ABSENT: Langsford

Proposal No. 752, 2004 was retitled GENERAL ORDINANCE NO. 3, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 3, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Meridian Street, on the west side, from
Bluff Avenue to a point 100 feet north of Bluff Avenue

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 4, 7, 10, and 13, 2005 on January 12, 2005. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 4, 2005. The proposal, sponsored by Councillors Moriarty Adams and Borst, approves a transfer of \$425,454 in the 2005 Budget of the Marion Superior Court (County General Fund) to transfer pre-trial release funds from the Marion County Justice Agency to the Marion Superior Court, Probation Division. PROPOSAL NO. 7, 2005. The proposal, sponsored by Councillors Moriarty Adams and Talley, approves a transfer of \$1,000 in the 2005 Budget of the Marion County Sheriff (County Grants Fund) to purchase a Data Projector, funded by a previous grant from Target. PROPOSAL NO. 10, 2005. The proposal, sponsored by Councillor McWhirter, approves a transfer of \$16,000 in the 2005 Budget of the Marion County Prosecutor (Deferral Fee Fund) to transfer funds in Character 03 to Character 01 to fund overtime salary and fringes for Marion County Sheriff Deputies for Interstate/Aggressive Driving Enforcement through December 2005. PROPOSAL NO. 13, 2005. The proposal, sponsored by Councillors Borst and Moriarty Adams, approves a transfer of \$192,730 in the 2005 Budget of the Marion Superior Court (Conditional Release Fund) to transfer Conditional Release Funds from the Marion County Justice Agency to the Marion Superior Court, Probation Division. By a unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal Nos. 4, 7, 10, and 13, 2005 were adopted on the following roll call vote; viz:

28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 ABSENT: Langsford

Proposal No. 4, 2005 was retitled FISCAL ORDINANCE NO. 15, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.139, 2004) transferring and appropriating an additional Four Hundred Twenty-five Thousand Four Hundred Fifty-four Dollars (\$425,454) in the County General Fund for purposes of the Marion Superior Court and reducing certain other appropriations from Marion County Justice Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(F) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court, to transfer Pre-Trial Release (Marion County Justice Agency) funds to the Marion Superior Court, Probation Division.

January 24, 2005

SECTION 2. The sum of an additional Four Hundred Twenty-five Thousand Four Hundred Fifty-four Dollars (\$425,454) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	297,121
1. Personal Services-fringes	103,993
2. Supplies	3,840
3. Other Services and Charges	<u>21,500</u>
TOTAL INCREASE	425,454

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	297,121
1. Personal Services-fringes	103,993
2. Supplies	3,840
3. Other Services and Charges	<u>21,500</u>
TOTAL DECREASE	425,454

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 7, 2005 was retitled FISCAL ORDINANCE NO. 16, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 138, 2004) transferring and appropriating an additional One Thousand Dollars (\$1,000) in the County Grants Fund for the purposes of the Marion County Sheriff's Department and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1. (b) Of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Sheriff's Department to transfer between characters to purchase equipment.

SECTION 2. The sum of One Thousand Dollars (\$1,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY SHERIFF</u>	<u>COUNTY GRANTS FUND</u>
4. Capital Outlay	<u>1,000</u>
TOTAL INCREASE	1,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY SHERIFF</u>	<u>COUNTY GRANTS FUND</u>
2. Supplies	<u>1,000</u>
TOTAL DECREASE	1,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 10, 2005 was retitled FISCAL ORDINANCE NO. 17, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating an additional Sixteen Thousand Dollars (\$16,000) in the Deferral Fund for purposes of the Marion County Prosecutor reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to transfer funds in Character 03 to Character 01 to fund overtime salary and fringes for Marion County Sheriff Deputies for Interstate/Aggressive Driving Enforcement through December 2005.

SECTION 2. The sum of additional Sixteen Thousand Dollars (\$16,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>DEFERRAL FEE FUND</u>
1. Personal Services	14,776
1. Personal Services-fringes	1,224
TOTAL INCREASE	16,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY PROSECUTOR</u>	<u>DEFERRAL FEE FUND</u>
3. Other Services and Charges	16,000
TOTAL DECREASE	16,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 13, 2005 was retitled FISCAL ORDINANCE NO. 18, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating an additional One Hundred Ninety-two Thousand Seven Hundred Thirty Dollars (\$192,730) in the Conditional Release Fund for purposes of the Marion Superior Court and reducing certain other appropriations from Marion County Justice Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(F) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court, to transfer Conditional Release Funds (Marion County Justice Agency) to the Marion Superior Court, Probation Division.

SECTION 2. The sum of additional One Hundred Ninety-two Thousand Seven Hundred Thirty Dollars (\$192,730) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

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SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>CONDITIONAL RELEASE FUND</u>
1. Personal Services	114,978
1. Personal Services-fringes	40,242
2. Supplies	5,660
3. Other Services and Charges	21,850
4. Capital Outlay	<u>10,000</u>
TOTAL INCREASE	192,730

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>CONDITIONAL RELEASE FUND</u>
1. Personal Services	114,978
1. Personal Services-fringes	40,242
2. Supplies	5,660
3. Other Services and Charges	21,850
4. Capital Outlay	<u>10,000</u>
TOTAL DECREASE	192,730

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor Bradford stated that all Councillors should have received an invitation from the Vietnamese Community for a New Year get-together. He encouraged Councillors to attend. He thanked the Indianapolis Police Department, Chief Jerry Barker, and other officers who helped capture the rapist who was preying on women in the Broad Ripple area.

Councillor Franklin thanked the Council for finding funding for the Forensic Services Agency to process evidence in order to make convictions possible.

Councillor Gibson invited Councillors to the fifth annual Charter Schools Conference on Wednesday, January 26, 2005 at the Radisson Hotel at the airport.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Randolph in memory of Ralph McKinley Dowe; and
- (2) Councillor Oliver in memory of Norval L. Akers and Benjamin Franklin Yates, Jr.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Ralph McKinley Dowe, Norval L. Akers, and Benjamin Franklin Yates, Jr. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:26 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 24th day of January, 2005.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)